

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, AUGUST 2, 2005.

**Board Members Present:** *John F. Coates, Chairman*  
*Steven E. Nixon, Vice-Chairman*  
William C. Chase, Jr.  
Sue D. Hansohn  
James C. Lee  
Brad C. Rosenberger  
Steven L. Walker

**Staff Present:** Frank T. Bossio, County Administrator  
J. David Maddox, County Attorney  
Valerie H. Lamb, Finance Director  
John C. Egertson, Planning Director  
Paul Howard, Director of Environmental Services  
Peggy S. Crane, Deputy Clerk

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Rosenberger led the members of the Board and the audience in the Pledge of Allegiance to the Flag.

**CALL TO ORDER**

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

**RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS**

Mr. Frank Bossio, County Administrator, asked that the following item be added to the **CONSENT AGENDA**: d. The Board will consider approving a resolution in honor of the rededication of the Cedar Mountain Battlefield Monument.

Mr. Nixon moved, seconded by Mr. Lee, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**RE: MINUTES**

The minutes of the July 5, 2005 regular meeting were presented to the Board for approval.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

### **CONSENT AGENDA**

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider approving operational transfer of funds to E-911 Budget for tower communication maintenance in the amount of \$19,399.
- b. The Board will consider approving acceptance of a grant for the Sheriff's Office from the Department of Criminal Justice Services for the School Resource Officers at Floyd T. Binns School in the amount of \$50,920. Federal funding \$29,210; Local match \$21,710 from the Sheriff's Operating Budget.
- c. The Board will consider awarding a contract with Chemung Contracting Corporation for new the Terminal Apron Expansion at the Airport in the amount of \$568,001.50.
- d. The Board will consider approving a resolution in honor of the rededication of the Cedar Mountain Battlefield Monument.

Mr. Lee moved, seconded by Mr. Nixon, to approve the Consent Agenda as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

### **GENERAL COUNTY BUSINESS**

#### **SPECIAL PRESENTATION**

Mr. Coates asked Mr. Carl Sachs, Economic Development Director, and Mr. Andy Ballew, Plant Manager of Merillat Industries, to join him at the podium for a special presentation. Mr. Sachs explained that the Board was presenting a check in the amount of \$150,000 from the Governor's Opportunity Fund to Merillat Industries in recognition of its major plant expansion in Culpeper. He stated that Merillat was investing \$13.4 million to build a 60,000 square-foot building expansion and creating 140 new jobs. He noted that Culpeper County and the Town of Culpeper were providing approximately \$668,000 in tax incentives.

Mr. Coates praised Merillat for choosing Culpeper in lieu of other Virginia locations. Mr. Ballew thanked the Board for its continued support and stated that Merillat's actual plan was to build a 130,000 square-foot building and anticipated future expansion of approximately \$8 million.

**CONSIDERATION OF RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD  
AND AREA AGENCY ON AGING (RRCSB-AAA) FISCAL 2006 PROGRAM**

Mr. Brian D. Duncan, Executive Director of RRCSB-AAA, provided a brief overview of the agency's Fiscal 2006 Program Plan for the Board's consideration. He introduced Mrs. Eileen Peet and Ms. Carole Bouthilet and recognized Mr. Bill Chase, the County's appointees who were in attendance. He noted that Mrs. Audrey Hudson, RRCSB Chair, from Madison County, was also present.

Mr. Duncan reported that 1,458 Culpeper County residents had received services during the past fiscal year in the areas of mental health, mental retardation, substance abuse and aging. He listed the agency's performance objectives for Fiscal 2006 to be: To reduce wait times for nonemergency outpatient care for children and adults, to continue emphasis on both supported and operated residential programs coupled with other necessary community supports, to utilize the information obtained during the recent community conversations and the Robert Wood Johnson planning grant to direct future aging services, to develop additional employment options for adults with mental retardation, to continue efforts directed at obtaining national accreditation for all services, to continue development of a replacement facility for the Boxwood Substance Abuse Treatment Program, and to pursue facility alternatives for outpatient services in Fauquier and Orange Counties. He said that the agency would be participating in a new facility the County was building in order to obtain adequate space for the Culpeper clinic, presently located across from the Culpeper Regional Hospital.

Mr. Duncan stated that the draft resolution presented for the Board's consideration indicated the Board had been briefed on the FY 2006 Program Plan and, in addition, validated a new requirement under *Virginia Code* that the RRCSB would act as its own fiscal agent. He explained that the RRCSB had been its own fiscal agent for the past ten years, but the *Code* change required the Board's approval.

Mr. Chase moved, seconded by Mr. Lee, to approve the resolution as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**PROGRESS/UPDATE ON GROWING TURF AT CULPEPER COMMUNITY COMPLEX**

Mr. John Barrett, Director of Parks & Recreation, introduced Mr. Bob Benyo of Premier Sports Fields and provided information on his experience and educational background. He said that Premier Sports Fields was under a two-year contract with the County to establish and maintain the athletic field surfaces at the Community Complex.

Mr. Benyo provided a detailed report on the strategies he would use to prepare the soil for seeding, laying turf grass, and mowing and maintenance in order to ensure that the fields would be ready prior to the April 15 opening of the Community Complex. He said the plan was to have the Complex open and suitable for playing for the most amount of time during the year, as well as to provide maintenance as needed during the year and when the fields were out of play during the summer and the cool season. He noted that both a cool season and a warm season were selected for seeding to ensure the longest growing period possible for the grass to be established and sustained.

Mr. Chase commented that summer was an unusual time of year for planting. Mr. Benyo agreed it was a strange time to plant cool season grass during a warm season, but Bermuda grass was selected in order to have the fields ready prior to the opening of the Complex.

Mr. Coates welcomed Mr. Benyo and thanked him for his report.

Mr. Coates announced a change in the agenda in order to hear the next case prior to the two reports pertaining to school construction.

#### **REQUEST FOR A PUMP AND HAUL PERMIT**

Mr. John Egertson, Planning Director, informed the Board that the Shiloh Baptist Church was requesting a pump and haul permit to serve its existing church. He explained that the Church had been denied a permit to install a drainfield or any other alternative sewage disposal system on the property. He stated that the request conformed with County policy, and he would proceed with the necessary paperwork if the Board approved.

Mr. Richard Bannister, representing the applicant, was present to answer questions.

Mrs. Hansohn moved, seconded by Mr. Lee, to approve the request.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

#### **UPDATE ON SCHOOL CONSTRUCTION PROJECT BY SHW GROUP, LLP**

Mr. Coates welcomed the School Board members who were in the audience.

Mr. Bossio informed the Board that Mr. Dirk Jeffrey, the SHW Group lead architect, and Mr. Hunter Spencer, the School Division's Construction Project Manager, were present to discuss questions that arose at the last School Oversight Committee (SOC) regarding increases in cost of construction and programmatic costs. He stated that Mr. Spencer had provided him with an approximate 275-page book containing program information, which was available for review by Board members.

Mr. Spencer explained that the School Division had committed to \$53 million for the cost of the new high school, \$42 million for the building and \$11 million for soft costs, such as furniture and amenities. He said he would be making a presentation to the SOC regarding soft costs on August 3 to discuss different methods on how to manage those costs. He indicated he had consulted with various other localities to learn how they managed soft costs for projects of this size and scale and Prince Williams' Schools provided detailed information regarding construction experience.

Mr. Spencer indicated that capacity continued to be questioned and explained that the State based capacity on an SOL formula of 25 students per classroom. He stated that the number of students per classroom was not the program capacity, which would include special needs, and the differences in capacity were due to different programs being provided in the schools. He noted that other schools did not have as large a Career and Tech program as Culpeper County since they spread Career and Tech departments among various schools. He also noted that some other schools had auxiliary gyms, which Culpeper did not have.

Mrs. Hansohn asked when the school design would be completed. Mr. Spencer replied that he was currently working on the construction package.

Mrs. Hansohn said it was her understanding that the 5 percent design contingency would disappear once the design was complete. Mr. Jeffrey stated that changes in the design should be completed in 30 days and the bid document would be ready to send out by October.

Mr. Nixon asked for clarification regarding the additional 6,000 square feet that had been added to the building. Mr. Spencer replied that 6,000 square feet had not been added.

Mr. Nixon stated that the original design was for 254,000 square feet and it was now 260,000 square feet, and he questioned where the 6,000 square feet came from.

Mr. Spencer explained that the SOC approved a 254,684 square foot building last fall for 1500 students, but after program requirements of each department had been received, they found the 254,000 square foot figure had been exceeded. He said some spaces were inadvertently left out, such as the agriculture lab, and other spaces were undersized, which resulted in an overage of 6,000 square feet.

Mr. Nixon asked whether the square footage would change from this point forward. Mr. Spencer replied that it should not.

Mr. Nixon asked whether the bid package would be for a 260,000 square foot school and whether additional program changes would be made. Mr. Spencer replied that the building should remain at 260,000 square feet, but there may be additional changes in the programs.

Mr. Chase expressed concern regarding the SOC's consideration of program requirements. He questioned whether two entire classrooms in the School Building in the Middle were necessary for the culinary kitchen and whether they were fully used for eight periods each day. Mr. Spencer stated he could not answer that question.

Mr. Chase asked whether the Agricultural Lab could be merged with the Biology Lab. Mr. Spencer stated it was his understanding the two labs performed different procedures and could not be combined.

Mr. Nixon stated that one of the biggest complaints the Board had heard regarding the existing high school was that the hallways were extremely crowded and yet the plan was to reduce the size of the hallways in the new high school. Mr. Spencer replied that the decision was made that 16-foot hallways were not needed in the new high school because traffic would be split between two floors and the stairways were wide enough to handle that traffic.

Mr. Nixon asked for reassurance that the hallways would not be crowded at 1500 capacity. Mr. Spencer assured him the hallways would not be too narrow to handle the traffic.

Mr. Coates expressed disappointment that the ROTC program would not be offered at the new high school and asked that his views be relayed to the School Administration.

Mrs. Hansohn stated that it was her understanding that if a student at the new school wanted to join the ROTC, he/she would be moved to the school that provided the program.

Mr. Coates pointed out that a decision had been made sometime ago that students would not be bussed between schools. He said that transportation was an issue when the County was participating in programs at the Piedmont Vocational School, and he thought that practice had been discontinued.

Mr. Spencer stated he could not address that concern.

Mrs. Hansohn said she would like to see a list of the Career and Technical classes that would be offered at both schools. Mr. Spencer informed her that information had been given to Mr. Bossio. Mr. Bossio stated he had the master list and he would make sure she received a copy. He added that Dr. Cox would provide a summary at the Board's meeting in September.

Mr. Nixon questioned whether the programs in the Career and Technology classes at the high school would be duplicating programs available at the new Germanna Technology Center or the Carver Piedmont Center. Mr. Spencer stated he did not know, but would find out.

Mr. Walker questioned why the new high school did not have an auxiliary gym since most of the other schools had them. Mr. Spencer replied that most of the schools did not have auxiliary gyms, only some did.

Mr. Walker stated he would like to make clear that this Board had never changed the \$42 million figure for school construction or the \$11 million for soft costs. He emphasized that the \$53 million was the amount that would be borrowed, but \$42 million was for the building structure and \$11 million for the soft costs. He said those figures equaled \$53 million, but they could not be co-mingled.

Mr. Walker stated that he had sat in for Mr. Lee at a Disabilities Services Board meeting and learned that Board would be requesting a review of the plans to determine disability accessibility.

Mr. Lee asked whether an auxiliary gym could be added at some later date if necessary.

Mr. Jeffrey pointed out that a main gym was considered to be two teaching spaces and an auxiliary gym would be a third teaching space. He said that gym space at the new school was larger with three teaching spaces, and they could be subdivided as needed. Mr. Lee said he wanted to be sure there was adequate space in the gym because of the demand in the community for recreational space.

Mr. Walker stated he was the Board member who requested additional information on what was meant by the “robust Career and Tech programs”, and it was his understanding that the Career and Tech program at the High School would be duplicated at the new high school. Mr. Spencer stated that was correct, except for the culinary arts program, the greenhouse and the ROTC program.

Mr. Walker asked whether the Board members from Career Partners had been included on the program and community design team. Mr. Spencer stated he did not know.

Mrs. Hansohn stated that the cost for the new building was \$44 million and in that cost was a 5 percent contingency, or approximately \$2.2 million. She pointed out that when the design was completed in 30 days, it would be conceivable that the \$44 million figure could be reduced. Mr. Spencer agreed that figure might be “tightened up”. He said they had an advantage in being able to obtain bids early enough for contractors to plan their spring schedules, because most construction bids would not to out until spring.

Mr. Coates thanked both Mr. Spencer and Mr. Jeffrey for their participation. He asked Mrs. Hutchins whether she had any comments to add.

Mrs. Hutchins provided the following information in an attempt to answer some of the questions raised by the Board:

! There would no longer be lockers in the halls so more hallway space would be available. There would be congestion in the new high school when full capacity was reached, but the new school would be under capacity with no congestion in the halls when it opened.

! Agricultural labs could not be co-located with biology labs because welding and other applications were done that could not be done where biology and chemistry equipment was located. The agricultural lab was not a regular classroom with desks, but a large room with concrete flooring and special equipment.

! The students within the County who wished to participate in ROTC, the greenhouse program or the culinary arts program would be assigned to the high school where those programs were offered. It was not the plan to bus students between schools.

! Constant conversations had been held with Germanna regarding the courses it offered, and there would be no duplication of services in the Career Tech program .

! Two classrooms were needed for the culinary arts program because of the industrial sized equipment used to teach students how to work in a culinary kitchen profession.

Mr. Chase asked whether the culinary arts classrooms were used for the full eight periods each day. Mrs. Hutchins replied that there were four blocks in the school day, and she could not tell him that every block was used every day, but the space was used for the majority of the day because students were constantly preparing for out-school food programs that they catered, as well as the regular instruction classes.

Mr. Coates thanked Mrs. Hutchins for providing the additional information.

### **FINANCING FOR OTHER CAPITAL PROJECTS**

Mr. Bossio informed the Board that Mr. David Rose of Davenport & Company and Mrs. Valerie Lamb, Finance Director, would discuss the resolution for the issuance of debt in the form of lease revenue bonds via the Industrial Development Authority (IDA). He stated that the Board members who accompanied staff to New York on July 27 had received copies of the "Credit Presentation for Culpeper County, Virginia", and he would be sure the other Board members received copies as well.

Mr. Rose reported that the Culpeper delegation to New York consisted of Mrs. Hansohn, Mr. Nixon, interim Treasurer David DeJarnette, Mr. Bossio, and Mr. Courtney Rogers and himself of Davenport & Company. He said the group met with three major rating agencies and two financial insurance companies, and the "Credit Presentation" booklet had been used as a basis for the County's needs. He noted that it was an excellent opportunity for Board members and staff to present Culpeper County's case to the whole credit world. He reported that the plan was to meet again with the IDA on August 4 and to move forward over the next few weeks to borrow the necessary funds for the school program, and it would be the County's decision whether insurance would be obtained. He explained that with the County's very solid credit rating and with an up-front premium, there was the potential to obtain a triple-A credit rating. He said he expected to hear from the credit agencies and the insurers by the end of the week.

Mr. Rose spoke at length on the informal discussions with the various agencies in New York and how impressed the credit agencies were with Culpeper's vision. He said the feedback he received was that "Culpeper County had its act together", which translated into a very strong credit rating. He noted that the County was viewed as having a solid debt capacity and solid fund balance, and the credit agencies were impressed that the County both borrowed and paid cash for various projects. He added that one of the County's strong points was that the Board spent time finding and attracting new businesses, as well as

retaining its current businesses.

Mr. Rose stated that he was asking the Board to approve the resolution so that the IDA could be approached and the County could move forward to take advantage of the current market rates.

Mr. Rose said he or Mrs. Lamb were available to answer questions.

Mr. Nixon commented that during one of the meetings, an individual asked about the quality of the County's schools, such as dropout rates, SOL numbers, SAT scores, and how many students continued their education. He said they did not have that information with them, but staff agreed to supply the information to them via e-mail.

Mrs. Hansohn stated that the bonding companies considered Culpeper County's rapid growth to be a very positive thing, even though she might not agree. She commended the staff for the exceptional job they did in preparing the Credit Presentation.

Mrs. Hansohn moved, seconded by Mr. Nixon, to approve the resolution for the issuance of the bonds.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Rose stated that he would report back to the Board in approximately six weeks.

Mr. Coates recessed the meeting at 11:30 a.m.

Mr. Coates called the meeting back to order at 11:40 a.m.

#### **DRAFT 2005 CULPEPER COUNTY COMPREHENSIVE PLAN**

Mr. Egertson reviewed the process to revise the 1999 Comprehensive Plan that began over a year ago. He said it began with the creation of a joint work group of the Town and County Planning Commissions, continued with community meetings throughout the County, and concluded with a formal public hearing held by the Planning Commission. The Planning Commission was recommending that the revised Plan be adopted. He noted that most recently, a productive work session was held with the Board of Supervisors and the Planning Commission at the library, and a number of comments, questions and requests for adjustments were received, and a list of the changes made in the Plan had been provided to the Board.

Mr. Egertson requested permission to advertise the proposed 2005 Comprehensive Plan for a public hearing and for potential adoption by the Board at its September meeting.

He noted that he had just received a large package of materials from Mrs. Laura Campbell, containing input on agriculture and historic resources. He said he planned to review those materials, but recommended that the Board proceed with the adoption of the Plan. He added that after he had thoroughly reviewed Mrs. Campbell's materials, he would follow up with any revisions that were appropriate, but assured the Board that all other public input received to date had been incorporated into the revised Plan.

Mr. Chase moved, seconded by Mr. Lee, to advertise the draft 2005 Comprehensive Plan for a public hearing in September.

Mr. Walker pointed out that many comments had been made during the various meetings regarding growth and what the County could do to address the issue. He asked whether the Comprehensive Plan was an appropriate avenue to explain what the County could and could not do in this area. Mr. Egertson replied that he did not believe the Comprehensive Plan was the appropriate forum. He said that State laws governed what was and was not permitted and the Plan emphasized that the County would continue to promote a rural character and agriculture within the County and laid the foundation on methods to address any concerns.

Mr. Chase agreed that the Comprehensive Plan was a visionary guideline and zoning was an appropriate tool to be used.

Mr. Nixon pointed out that if the Plan were advertised for public hearing in September, the Board would not have had an opportunity to review any additional changes made in the interim period. Mr. Egertson stated he did not expect to make any changes in the Plan other than those distributed in the Board package, and any additional changes would be brought back to the Board as revisions to the Plan.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

#### **REQUEST TO CONVEY A FAMILY DIVISION WITHIN A FIVE (5) YEAR TIME PERIOD**

Mr. Egertson informed the Board that Mr. Christian Chew was requesting permission to transfer a family division lot that had not been held for the entire five-year period as required under the Subdivision Ordinance. He explained that the family division ordinances had been revised a number of years ago based on the *State Code* that family divisions were to be for the purpose of providing housing and shelter for family members. He said the

revised ordinance stated that when a family division had been granted to a family member, not only did that family member have to hold the lot for five years, but he/she had to obtain a building permit within a year, build a house within two years, and use that residence as a primary domicile.

Mr. Egertson stated that in the case before the Board, Mr. and Mrs. Craig Anderson purchased a lot and subsequently did a family division to Mrs. Anderson's brother, Christian Chew. He said it was done in accordance with the County's ordinances and regulations and a home was constructed as required and belonged to Mr. Chew, a qualified family member. He said, up to that point, everything was in order and in compliance with the Code until recently when it was brought to his attention that Mr. Chew was not living in the home, as required by the County ordinance. He stated he notified Mr. Chew, who responded promptly by letter and came to his office accompanied by Mr. Anderson. He said they explained that Mr. Chew lived in Staunton, Virginia and had a landscaping company that he planned to move to Culpeper, but due to financial problems, he had not been able to do so. He stated that he explained to them that under the Subdivision Ordinance, the only relief that could be offered to Mr. Chew, if he could not move to Culpeper and occupy the house, was to seek relief from the Board of Supervisors which would allow him to sell the lot. He said Mr. Chew decided to seek relief from the Board to sell the property since he was unable to move into the house as required.

Mr. Egertson stated that under the Code, the Board of Supervisors could grant the ability to convey the lot sooner than the five-year period where the grantor could demonstrate a *bona fide* financial or economic hardship. He said based on the discussions he had had with the applicant and what he understood the situation to be, he felt it was a *bona fide* request.

Mr. Chase questioned why the case had not been reviewed by the Planning Commission. Mr. Egertson replied that under the Subdivision Ordinance, only the Board could grant relief for a family division.

Mrs. Hansohn asked whether Mr. Anderson ever lived in the house that he built. Mr. Egertson replied that he had not lived in the house since he was the builder and owner of the lot prior to the family division for his brother-in-law. He said Mr. Anderson had not bought the lot for the purpose of living on it himself, but for the purpose of building a home to sell and also to provide for his brother-in-law.

A lengthy discussion ensued in which several Board members discussed the unusual circumstances involved in the family partition and whether the provisions of the ordinance had been circumvented.

Mr. Coates stated the case was in his District and he was having a great deal of difficulty in understanding the issue regarding hardship. He suggested that the case be postponed for 60 days to allow the County Attorney and staff to review the situation based upon the discussion among the Board members.

Mr. Walker moved, seconded by Mr. Lee, to postpone the request for 60 days.

Mr. Walker stated that the entire situation merited review in order to avoid setting a precedent in similar cases.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

#### **CONSIDERATION OF REQUEST TO ADVERTISE FOR A PUBLIC HEARING TO CO-LOCATE ON LIGNUM TOWER**

Mr. Alan Culpeper, Director of Procurement, requested the Board's permission to advertise for a public hearing for Sprint PCS to co-locate on the Lignum Tower. He explained the details of the Sprint request and answered technical questions.

Mr. Walker asked whether Sprint would pay all of the expenses involved in co-locating on the tower.

Mr. David Maddox, County Attorney, explained that the public hearing was required solely for the co-location of the lease, and the expenses involved were not a part of the hearing requirement. He said that Sprint had agreed to pay the entire costs associated with the reinforcement.

Mrs. Hansohn moved, seconded by Mr. Nixon, to advertise for a public hearing on the co-location on the Lignum tower.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

#### **CLOSING OF CULPEPER FARM SERVICE AGENCY**

Mr. Rosenberger informed the Board that he had learned that the Culpeper FSA office and the combined office of the Soil Conservation Service and FHA were being closed

and employees moved to Fauquier County. He expressed concern that no input had been gathered from any of the Board of Directors of the FSA Committee. He said that Mr. Paul Compton chaired the Culpeper Committee and had called several of the members of the Culpeper Board of Supervisors to ask for assistance.

Mr. Rosenberger reported he had contacted Virginia's Congressional representatives in Washington, as well as the County's State representatives, to ask them to consider taking a position in opposition to this closure because the FSA office was an integral and important part of the agricultural community in the County. He asked the Board to consider writing a letter to all of the interested parties to make them aware of the Board's concern and request that the Culpeper office not be closed.

Mr. Rosenberger moved, seconded by Mr. Chase, to send a letter to all interested parties expressing the Board's concern and request that the office not be closed.

Mr. Coates stated he had also received calls regarding this matter. He said the FSA office and the other complimentary offices provided a viable service to Culpeper County and the surrounding area, and he felt it was in the best interest of all concerned that the office not be moved.

Mr. Walker pointed out that the Comprehensive Plan contained a vision that the strong agricultural economy in the County would continue to be promoted and maintained. He said that writing such a letter would be in keeping with that vision.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Rosenberger thanked the members of the Board for its action.

### **CONSOLIDATION PROGRESS REPORT**

Mr. Bossio provided a final report on functional consolidation within the County, Town, School Board, Department of Human Services and the Sheriff's Office. He explained that the mission was to consolidate redundant services within County agencies and to become more efficient and effective and save taxpayer dollars either directly or by cost avoidance in the areas of procurement, finance/budget, transportation, human resources, and information technology. He defined physical consolidation as co-locating entities, but not necessarily having staff report to the same person; and functional consolidation as

having staff remain at current locations with functions consolidated through changes in process and information technology, but with reporting status the same.

Mr. Bossio explained that the subcategories under Transportation, such as fuel, routine maintenance, etc., had been thoroughly reviewed and the results were that DHS would use Town maintenance of its vehicles, if approved by the Town Council; the Sheriff would continue to use local vendors in order to obtain priority service; and the County would continue to use leased vehicles.

Mr. Bossio stated that Procurement was an area in which there was total agreement that consolidation made sense, and a separate time line was being developed for integrating all of the major procurement activities. He said that it was agreed that small purchases would remain with the individual departments.

Mr. Bossio reported that process mapping and detailed study had been undertaken in consolidating Finance/Budget. He said that the largest money savers were in consolidation of health care and converting all users to the same financial software, and both of these had already been accomplished. He added that the Board of Supervisors had approved a position for the School System as budget liaison between the School Board and the County.

Mr. Bossio presented a chronology of actions taken in consolidating Human Resources, which included numerous meetings with Fauquier County, who had already been through the consolidation process. He said that discussions concentrated on discovering processes that were common to each office or specific to a particular office. He said it was determined that the number of employees was adequate to the current workload, and consolidation would not result in fewer positions. He indicated that functional consolidation had begun and physical consolidation would enhance cross-training and provide depth, but unless the resulting human resources unit could be co-located with the resulting finance unit and respective chief administrators, there was a risk that these functions would be sub-optimized.

Mrs. Lamb explained the chart of accounts and how payroll and accounts payable would flow into it and feed back into the budget. She noted that the Schools' chart of accounts would align better with the County's chart of accounts on the AS400.

Ms. Lauren Willis defined the spreadsheet that had been developed to bring all accounts into compliance with Auditor of Public Accounts.

Mr. Bossio provided the following functional consolidation implementation schedule: The HR module implementation was scheduled for October, the chart of account changes for the Schools would occur in November, and the requisition system in each school would begin in January 2006 if the IT issues could be rectified.

Mr. Bossio stated that better understanding and better communications were expected with functional consolidation and, with the recommended enhancement, the budget process would become “seamless” and the finances would be transparent. He noted that the group had worked under the assumption that the budget would remain separate from finance, site based (cost center) reporting would be available to the public and the Board of Supervisors, and procurement and human relations consolidation would occur with the consolidation of the finance processes.

Mrs. Hansohn asked whether some of the transparencies would be apparent when the budget sessions began. Mr. Bossio replied that the chart of accounts should be completed in November and the HR module would already be working.

Mr. Walker asked whether functional consolidation would move forward without physical consolidation. Mr. Bossio stated that it was not clear at this time what improvement would be gained by physical consolidation, but functional consolidation had already begun to move forward, but the problems involving the information technology infrastructure would need to be solved.

Mr. Walker thanked the various staff members for their work and asked for continued monthly reports from the County Administrator. He asked whether there were any budget adjustments that needed to be made. Mrs. Lamb replied that they were continuing to investigate, but they anticipated no additional funds for the functional consolidation.

Mr. Bossio agreed to continue to provide the Board with monthly reports. He said that there would be some joint policies between the Board of Supervisors and the School Board regarding procurement. He emphasized that the IT infrastructure would be one of the most critical issues to deal with, and physical consolidation was still an unknown factor at this point.

Mr. Lee also thanked the County and School staffs for working cooperatively and stated that the entire County would be the beneficiary of that cooperation.

Mr. Coates called for a recess at 1:00 p.m. for lunch break.

The Board conducted a Legislative Committee at 2:00 p.m.

Mr. Coates called the meeting back to order at 3:05

**NEW BUSINESS**

**CLOSED SESSION**

Mr. Nixon moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) An appointment to the Disability Services Board; (B) an appointment to the Airport Advisory Committee; (C) an appointment to the Parks and Recreation Advisory Committee to represent the West Fairfax District; and (D) readvertising for appointments to the Agricultural Resource Advisory Committee.
2. Under *Virginia Code* §2.2-3711(A)(3) and (A)(7), for discussion with legal counsel and staff pertaining to the sale of specific parcels in the Air Industrial Park, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
3. Under *Virginia Code* §2.2-3711(A)(7), for discussion with the County Attorney and staff to consider alternative resolutions for probable litigation with a specific individual, where public discussion would adversely affect the litigating posture of the public body.
4. Under *Virginia Code* §2.2-3711(A)(7), for discussion with staff and the County Attorney regarding threatened probable litigation concerning the Sheriff's Department where public discussion would adversely affect the litigating posture of the public body.
5. Under *Virginia Code* §2.2-3711(A)(7), for discussion with staff and the County Attorney of the status of pending land use litigation requiring the providing of legal advice where public discussion would adversely affect the litigating posture of the public body.

Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote on motion

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Nay – Chase

Motion carried 6 to 1.

The Board entered into closed session at 3:06 p.m.

The Board returned to open session at 3:57 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they

certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Mr. Coates asked that the record show Mr. Chase was present for the first part of the Closed Session, but did not return for the afternoon session of the meeting.

Ayes – Chase, Walker, Lee, Coates, Nixon, Rosenberger, Hansohn.

**RE: APPOINTMENT TO DISABILITY SERVICES BOARD**

Mr. Nixon moved, seconded by Mrs. Hansohn, to appoint Linda Noonan to serve on the Disability Services Board.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**RE: APPOINTMENT TO THE AIRPORT ADVISORY COMMITTEE**

Mr. Nixon moved, seconded by Mrs. Hansohn, to appoint David Franklin to serve on the Airport Advisory Committee.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**RE: APPOINTMENT TO THE PARKS & RECREATION ADVISORY COMMITTEE**

Mr. Nixon moved, seconded by Mr. Walker, to appoint Paul R. Walther to serve on the Parks & Recreation Advisory Committee to represent the West Fairfax District.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**RE: READVERTISE FOR VACANCIES ON AGRICULTURAL RESOURCE ADVISORY COMMITTEE**

Mr. Nixon moved, seconded by Mr. Walker, to readvertise for the vacancies on the Agricultural Resource Advisory Committee (ARAC).

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**RE: ADVERTISE FOR POTENTIAL SALE OF PROPERTY**

Mr. Nixon moved to advertise for a public hearing for the potential sale of County Airpark Industrial land described as parcel #9 consisting of 3.92 acres and parcel #10 consisting of 3.6 acres to Capitol Components Millwork. Seconded by Mr. Lee.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Coates called for a recess at 4:00 p.m.

Mr. Chase left the meeting at this point.

Mr. Coates called the meeting back to order at 4:05 p.m.

**COMMITTEE REPORTS**

**AD HOC ANIMAL SHELTER ADVISORY COMMITTEE REPORT - JULY 6, 2005**

Mr. Bossio stated that Mr. Chase asked him to relay to the Board that the Ad Hoc Animal Shelter Advisory Committee was forwarding to the Board for approval a resolution in support of House Joint Resolution 768 covering the spaying and neutering of companion animals to reduce the risks of health problems.

Mr. Nixon moved, seconded by Mr. Lee, to adopt the resolution.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

See Attachment #1 for details of meeting.

**BUILDINGS & GROUNDS COMMITTEE REPORT - JULY 12, 2005**

Mr. Lee reported that the Buildings & Grounds Committee met, but there were no action items to bring forward to the full Board.

See Attachment #2 for details of meeting.

**RULES COMMITTEE REPORT - JULY 12, 2005**

Mr. Walker reported that the Rules Committee met and had the following items for the Board's consideration.

**A proposed Bereavement Leave Policy.**

Mr. Walker moved, seconded by Mr. Nixon, to approve the Bereavement Leave Policy for three days instead of four days.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

A "Safe & Healthful Workplace-Safety Policy" Resolution and Policy Statement.

Mr. Walker moved, seconded by Mrs. Hansohn, to adopt the Safe & Healthful Workplace-Safety Policy Resolution and Policy Statement.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Meals and Beverage Ordinance.

Mr. Walker moved, seconded by Mr. Lee, to submit a petition to the Circuit Court requesting a special election on the question of enacting a County Food and Beverage Tax.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Amending the Ordinance to Increase the Bad Check Fee.

Mr. Walker moved, seconded by Mr. Nixon, to advertise for public hearing the proposed amendment on increasing the bad check fee from \$25 to \$35.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Ordinance amendment to Section 7-9 of Chapter 7, Elections of the County Code, entitled "Establishment of Central Absentee Voter Precinct".

Mr. Walker moved, seconded by Mr. Lee, to advertise for public hearing the proposed amendment establishing a Central Absentee Voter Precinct.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Issuing a Request for Proposal (RFP) for an In-Depth Workforce Survey”.

Mr. Walker moved, seconded by Mr. Lee, to authorize that an RFP be issued for a consultant to conduct the study.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Issuing an RFP for FY 07 to include quotes for workers’ compensation, accident and health insurance, and/or some combination of the two types of plans.

Mr. Walker moved, seconded by Mr. Lee, to authorize that an RFP be issued to obtain quotes for workers’ compensation, accident and health insurance, and/or some combination of the two types of plans.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

See Attachment #3 for details of meeting.

**PUBLIC WORKS COMMITTEE REPORT - JULY 12, 2005**

Mrs. Hansohn reported the Public Works Committee met and had two items requiring the Board’s consideration.

Mrs. Hansohn moved, seconded by Mr. Lee, to schedule a meeting with the Office of Drinking Water, to include County staff and the local citizens who lived in the areas that had community water systems. She said the meeting had been scheduled for August 24, at 7:00 p.m., in the Board Room.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Mrs. Hansohn moved, seconded by Mr. Lee, to ask the County’s Public Works Committee to schedule a meeting with the Town’s Wastewater Committee to jointly discuss issues relating to the DEQ rulings.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Mrs. Hansohn reported that a letter had been sent to the State Corporation Commission asking that they have a public hearing in Culpeper on the community well fees, and they agreed to conduct a public hearing on September 19, at 2:00 p.m. and 7:00 p.m., to allow citizens with community wells to express their concerns.

Mr. Lee thanked both Delegate Scott and Senator Houck for their support in bringing the SCC meeting to Culpeper.

Mrs. Hansohn also reported that the Public Works Committee had changed its meeting time to 2:00 p.m., and the next meeting was scheduled for August 9, at 2:00 p.m., in the Board Room.

See Attachment #4 for details of meeting.

**E-9-1-1- BOARD OF DIRECTORS SPECIAL CALLED MEETING REPORT - JULY 15, 2005**

Mrs. Hansohn reported that the E-9-1-1 Board of Directors met and had one action to bring forward.

Mr. Hansohn moved, seconded by Mr. Nixon, to approve the Shared Facilities Agreement between the County EOC and Fauquier County.

Mr. Bossio noted there was one item regarding the equipment shelter that was still in discussion with Fauquier County. He said that Fauquier County had quoted Culpeper County's share of the equipment shelter at 14 percent of \$241,066, or \$32,609. He stated that the most expensive shelter the County had only cost \$33,000.

Mrs. Hansohn asked whether the Board could approve the agreement with the cost still undecided. Mr. Bossio replied that he was recommending approval of the agreement based on 14 percent of a \$30,000 shelter.

Mr. Maddox stated that he had been in discussion with the Fauquier County Attorney and he was aware that 14 percent of \$30,000 was the most Culpeper County would agree to pay. The Fauquier County Attorney suggested that the Culpeper Board of Supervisors approve the agreement with \$4,200 being a one-time fee and he would advise the County if

there were any problems. Mr. Maddox stated that it was agreed that payment would be made sometime before November 15, 2005.

Mrs. Hansohn amended the motion to approve the Shared Facilities Agreement between the County EOC and Fauquier County stipulating that the County share would be \$4,200. Mr. Nixon agreed to the amendment.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

See Attachment #5 for details of meeting.

#### **AIRPORT ADVISORY COMMITTEE REPORT - JULY 13, 2005**

Mr. Bossio reported that the Airport Advisory Committee met, and there were no action items to bring forward to the full Board.

See Attachment #6 for details of meeting.

#### **ADMINISTRATOR'S REPORT**

Mr. Bossio stated he had no items to discuss, but he wanted the Board to be aware he planned to be on vacation from August 3 to August 9.

Mr. Coates recessed the meeting at 4:20 p.m., pending the arrival of Mr. Carl Sachs, Director of Economic Development.

Mr. Coates called the meeting back to order at 4:21 p.m.

#### **ECONOMIC DEVELOPMENT REPORT**

Mr. Sachs presented the following report:

The Culpeper Harvest Days Farm Tour 2005 had been scheduled for October 1 and 2, with five new sites for a total of 15 farm sites on the tour. Reference was made to the guidebook entitled "In Culpeper County, Commerce Grows on the Farm".

Phase 1 of the Northern Virginia Marketing Campaign would be launched August 26 with 16 thirty-second ads over a two-week period on WTOP News Radio, and again on October 3, to be followed by a direct mail campaign to target businesses in Northern Virginia.

As part of the marketing campaign, an attempt to determine the cost of commuting for the Culpeper County workforce had been made based upon information contained in a Weldon Cooper Center Study commissioned by the Rappahannock-Rapidan Regional

Planning District in 2003. It was estimated that Culpeper County commuters spent over \$55 million in vehicle costs driving to/from work, and the figure rose to approximately \$120 million a year when lost time was combined with vehicles costs. The average cost per commuter was \$13,318 a year, which meant that a business located in Culpeper could pay a commuter \$6.40 less an hour.

Mrs. Hansohn asked Mr. Sachs to discuss advertising on the sides of commuter buses.

Mr. Sachs indicated it was his recommendation that advertising on the County buses be kept below the window line, and if there were an advantage to allow advertising above the window line, it would be considered.

Mrs. Hansohn stated she had received a call from a business that was interested in advertising on the side of the bus and above the windows, and she was asking the Board to consider allowing them to do that.

Mr. Nixon asked whether it was PTAC policy not to allow advertising above the window line. Mr. Maddox stated that the Board had previously passed that policy, and he assumed the Town Council had also passed that policy. Mr. Sachs informed the Board that it was not a Town policy, but a PTAC policy applying to the County bus only.

Mr. Maddox reminded the Board that the policy stated that ads should not appear or be placed above the window line of County Express buses. He said that Mr. Sachs had explained the origin of that policy and the Board could amend that policy if it so desired.

Mrs. Hansohn moved, seconded by Mr. Nixon, to amend the PTAC policy to remove the statement regarding no advertising above the windows.

Mr. Sachs clarified that the policy was a PTAC policy, and he suggested that the motion be amended to ask PTAC to modify its policy.

Mrs. Hansohn amended the motion to ask PTAC to amend its policy and remove the provision that no advertising should appear above the window line of the buses. Mr. Nixon agreed to the amendment.

Mr. Walker stated he wanted everyone to be aware that amending the policy would allow advertising on the entire side of a bus.

Mr. Coates called for voice vote and then a show of hands.

Ayes - Coates, Hansohn, Nixon, Rosenberger

Nay - Walker, Lee

Absent - Chase

Motion carried 4 to 2.

**ADJOURNMENT**

Mrs. Hansohn moved, seconded by Mr. Nixon, to adjourn at 4:35 p.m.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Peggy S. Crane, CMC  
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio  
Clerk to the Board

Approved: September 6, 2005